

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES WHEELER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

NATIVE COMMERCE STUDIOS, LLC,
a California Limited Liability Company,

Defendant.

Case No. 2:17-cv-00051

Hon. Gordon J. Quist

**STIPULATION TO CONTINUE CASE
DEADLINES THIRTY (30) DAYS IN
ORDER TO FINALIZE POTENTIAL
RESOLUTION**

Plaintiff James Wheeler (“Wheeler”) and Native Commerce Studios, LLC (“Native Commerce”) (together, the “Parties”), by and through their undersigned counsel, respectfully provide notice to the Court that the Parties have reached an agreement in principle to resolve this matter. As a result, the Parties jointly submit that good cause exists, subject to the Court’s approval, for the Court to enter an order continuing all case deadlines by thirty (30) days so that the parties may focus their efforts and resources on finalizing their agreement. In support of the instant request, the Parties state as follows:

WHEREAS, on March 18, 2018, the Court ordered jurisdictional discovery to determine whether it had subject matter jurisdiction over Wheeler’s state law claims and set deadlines by which jurisdictional discovery and supplemental briefing were to be completed (Dkt. 29);

WHEREAS, since the time the Court entered its March 18 order and in addition to proceeding with the jurisdictional discovery, the Parties have engaged in discussions regarding the potential resolution of this matter;

WHEREAS, the Parties’ discussions led to an agreement-in-principle to resolve this matter and indeed, a draft written settlement agreement is currently in circulation amongst them;

WHEREAS, the Parties have further conferred and agreed that they would benefit of a modest extension of all pending case deadlines in order to focus their efforts and resources on finalizing the potential settlement;

WHEREAS, the Parties have not previously sought any stay or extension related to the Court-ordered jurisdictional discovery;

WHEREAS, in light of the foregoing, the Parties believe that a thirty (30) day extension of all pending case deadlines is in the interest of judicial economy and efficiency, will preserve the Court's and the Parties' resources, and that good cause exists to grant the same.

NOW THEREFORE, the Parties hereby STIPULATE and AGREE as follows:

1. The current case schedule and all related deadlines, including the deadlines set pursuant to the Court's March 18, 2018 Order (Dkt. 29), are hereby continued by thirty (30) days.

IT IS SO STIPULATED.

JAMES WHEELER, individually and on behalf of all others similarly situated,

Dated: May 29, 2018

By: /s/ Benjamin H. Richman
One of Its Attorneys

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NATIVE COMMERCE STUDIOS, LLC,

Dated: May 29, 2018

By: /s/ Ari N. Rothman (with permission)
One of Its Attorneys

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ORDER

The Court, being fully advised of the premises,

IT IS ORDERED that:

1. The current case schedule and all related deadlines, including the deadlines set pursuant to the Court's March 18, 2018 Order (Dkt. 29), are hereby continued by thirty (30) days.

Dated: May 30, 2018

/s/ Gordon J. Quist
Hon. Gordon J. Quist
United States District Judge